

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark Shu et al. Examiner: Alvin J. Stewart
Serial No.: 10/792,186 Group Art Unit: 3738
Filed: March 3, 2004 Docket: M190.148.101 / P0011480.00
Due Date: February 16, 2008
Title: SUTURE LOCKING ASSEMBLY AND METHOD OF USE

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated November 16, 2007, rejecting claims 1-31, 51-55, 57, and 58.

The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136(a) apply.

(a) Applicant petitions for an Extension of Time under 37 C.F.R. §1.136 (fees 37 C.F.R. 1.17(a)(1)-1.17(a)(5) for the total number of months checked below:

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
one month (\$120.00)	two months (\$450.00)	three months (\$1,020.00)	four months (\$1,595.00)	The extension fee has already been filed in this application.

(b) Applicant believes that no Extension of Time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a Petition and fee for Extension of Time.

Please charge Deposit Account No. 50-0471 in the amount of **\$510.00**. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-0471 pursuant to 37 C.F.R. 1.25.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Notice of Appeal

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Any inquiry regarding this Response should be directed to Timothy A. Czaja at Telephone No. (612) 573-2004, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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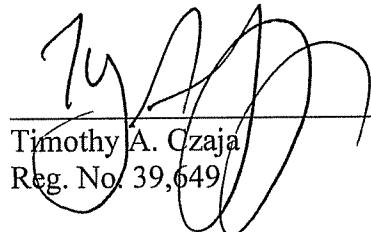
Respectfully submitted,

Mark Shu et al.,

By their attorneys,

Date: February 19, 2008

TAC:jms



Timothy A. Czaja
Reg. No. 39,649